



September 9, 2005

TO: Interested Parties, Practitioners, Local Governments, Industry Associates
FROM: National Marine Fisheries Service (NMFS), Northwest Region
RE: Comment Period and Public Scoping Meetings on NMFS' Intent to Prepare an Environmental Impact Statement (EIS) Related to the Makah Tribe's Continuation of Treaty Right Hunting of Gray Whales

The National Oceanic and Atmospheric Administration's (NOAA's) National Marine Fisheries Service (NMFS), Northwest Region, is currently evaluating the Makah Indian Tribe's request for a waiver of the moratorium on take under the Marine Mammal Protection Act, to allow for continued treaty right hunting of gray whales. As the first step in this evaluation, NMFS has started the environmental review process required by the National Environmental Policy Act (NEPA) – we published our intent to prepare an environmental impact statement (EIS) on August 25, 2005. (See our website at <http://www.noaa.nwr.gov> under the "Gray whales" link; the full address is <http://www.nwr.noaa.gov/mmammals/graywhales/index.html>).

We would like to invite all interested parties to participate in public comment opportunities, open from August 25, 2005 to October 24, 2005, 5:00 p.m. PDT. We are receiving written comments at the physical and e-mail addresses listed below, and are also holding three public scoping meetings in Washington State during October at the following locations and times:

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| • October 5
6:30 – 9:30 p.m. | Neah Bay, WA | Makah Tribal Council Community Hall
81 3 rd Avenue (Makah Passage) |
| • October 6
6:30 – 9:30 p.m. | Port Angeles, WA | Vern Burton Memorial Community Center
308 East 4 th Street (corner of 4 th and Peabody) |
| • October 11
6:30 – 10:00 p.m. | Seattle, WA | South Lake Union Park
860 Terry Avenue North (The Naval Reserve Building) |

These public meetings have been set up as part of our commitment to provide ample opportunities to inform the public about this NEPA process, as well as to provide a formal, constructive comment forum to assist us in developing a draft EIS.

Format of the Public Scoping Meetings

The public scoping meetings will be designed in "workshop" format so that the public may have an opportunity to interact with NMFS staff in small group discussions. The meetings will begin at 6:30 p.m., with a fifteen minute introduction of the staff, facilities, and meeting ground rules by a facilitator. NOAA employees will then review the NEPA process and the proposed action (15 minutes), gray whale biology (15 minutes), and objectives for the small group discussions

(15 minutes). After a break, meeting attendees will divide into small groups, which will have an hour to discuss 1) resources that may be affected by the proposed action and should be analyzed in the EIS and 2) ideas for alternatives to the proposed action. NMFS staff will facilitate each small group discussion, and will record issues and comments on a flip chart. Following the discussions and a break, the entire group will reconvene and NMFS staff will summarize the major themes discussed in the small groups.

Also during the break-out session and the breaks, NMFS personnel will be available for questions about the NEPA and MMPA process and the biology of gray whales. The public is free to interact with NMFS staff during those times. The meetings are scheduled to end at 9:30 p.m. at the Neah Bay and Port Angeles venues, and 10:00 p.m. at the Seattle venue. The discussions from the small groups (summarized on each group's flip charts) will be summarized in the scoping report, and the information will be considered in the development of the EIS. Comment forms will also be provided at the meetings for those who wish to submit public comments for the record at that time.

How to Attend

All public scoping meetings will be open to the public. Information about the public scoping meetings will be posted on our website at <http://www.noaa.nwr.gov> under the "Gray whales" link (or directly at <http://www.nwr.noaa.gov/mmammals/graywhales/index.html>). For those persons needing reasonable accommodations, please contact Kassandra Brown at 206-526-4348 at least 10 business days prior to your meeting or meetings of choice.

Additional Opportunity to Comment

We would like to emphasize that the public meetings are *not* the only opportunity to provide input. Written or electronic comments from all interested parties are encouraged, and must be received by no later than 5:00 p.m. PDT on October 24, 2005. Comments sent via mail should be addressed to: Kassandra Brown, NMFS Northwest Region, Building 1, 7600 Sand Point Way NE, Seattle, WA 98115. Comments may also be sent via fax (206) 526-6426 Attn: Makah Tribe Whale Hunt EIS, or by email to MakahEIS.nwr@noaa.gov with the subject line containing the document identifier Makah Whale EIS.

For more information, or to obtain background materials, including the Makah's request for a waiver of the MMPA take moratorium or the relevant *Federal Register* notice, please visit the links to the websites, listed above.